

**In the Matter Of:**

*In Re - LTL Management LLC*

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*JAMES ONDER*

*June 08, 2023*

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<p>1</p> <p>2 UNITED STATES BANKRUPTCY COURT</p> <p>3 DISTRICT OF NEW JERSEY</p> <p>4 -----X</p> <p>5 In Re:</p> <p>6 LTL MANAGEMENT, LLC,</p> <p>7 Debtor.</p> <p>8 Case No. 23-12825 (MBK)</p> <p>9 -----X</p> <p>10 VIDEOTAPED DEPOSITION OF JAMES ONDER</p> <p>11</p> <p>12</p> <p>13</p> <p>14 DATE: June 8, 2023</p> <p>15 TIME: 10:04 a.m.</p> <p>16 PLACE: ***REMOTE***</p> <p>17 BEFORE: Rebecca Schaumloffel, RPR, CCR-NJ</p> <p>18 JOB NO: 2023-899743</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1</p> <p>2 Appearances (continued:)</p> <p>3</p> <p>4</p> <p>5 COLE SCHOTZ</p> <p>6 1325 Avenue of the Americas</p> <p>7 19th Floor</p> <p>8 New York, NY 10019</p> <p>9 BY: SETH VAN AALTEN, ESQ.</p> <p>10</p> <p>11 GENOVA BURNS, LLC</p> <p>12 494 Broad Street</p> <p>13 Newark, New Jersey 07102</p> <p>14 BY: DANIEL M. STOLZ, ESQ.</p> <p>15</p> <p>16 GOLOMB SPIRT GRUNFELD, PC</p> <p>17 1835 Market Street</p> <p>18 Suite 2900</p> <p>19 Philadelphia, PA 19103</p> <p>20 BY: RICHARD GOLOMB, ESQ.</p> <p>21</p> <p>22 JONES DAY</p> <p>23 Attorneys for the Debtor</p> <p>24 250 Vesey Street</p> <p>25 Suite 31</p> <p>New York, New York 10281</p> <p>BY: MARK RASMUSSEN, ESQ.</p> <p>TIM VILLARI, ESQ.</p>
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1 **J. ONDER**  
2 **So, basically, you know, it really**  
3 **depends on how they are getting cases. This**  
4 **looks like the cancer criteria. If you are**  
5 **going to go buy a case from one of the major**  
6 **companies out there, Broughton Partners,**  
7 **Reliance, whoever.**  
8 **This is the more strict criteria**  
9 **to avoid them paying for a case, a lower**  
10 **valued case.**  
11 **MR. MOXLEY: Let's take that**  
12 **down and let's bring up the "Cases to**  
13 **be declined."**  
14 **Q. So, Mr. Onder, again, we're still**  
15 **on the same Exhibit 5. This is the criteria,**  
16 **again, "Cases to be declined" section of that**  
17 **document.**  
18 **Do you see that?**  
19 **A. Right.**  
20 **Q. Okay. And so if there is no**  
21 **diagnosis of the cancer, that's a declined**  
22 **case, correct?**  
23 **A. Correct.**  
24 **Q. Okay. The second one there, use**  
25 **of other talc or powder-based products and**

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1 **J. ONDER**  
2 **not J&J baby powder or Shower to Shower.**  
3 **Do you see that?**  
4 **A. Yes.**  
5 **Q. Okay. And is that based on --**  
6 **it's, basically, the word of the individual**  
7 **claimant, correct?**  
8 **A. Correct.**  
9 **Q. Okay. For the different types of**  
10 **cancer, you go midway through the chart**  
11 **there, you see the diagnosis there of**  
12 **different types of cancer?**  
13 **A. Yes.**  
14 **Q. Okay. Why are -- why is cervical**  
15 **cancer among the cases to be declined?**  
16 **A. Okay. Again, this has -- this is**  
17 **a business decision for the economic benefit**  
18 **of my referring attorneys. If you are going**  
19 **out to, for example, a Broughton Partners and**  
20 **they are doing the advertising and marketing**  
21 **for you and they are charging, you know, \$100**  
22 **a case -- or, well, let's use a more**  
23 **realistic number.**  
24 **\$5,000 a case, a signed contract.**  
25 **I want my client -- I want the people who are**

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1 **J. ONDER**  
2 **referring to me to get the most bang for**  
3 **their buck and make sure that their purchase**  
4 **is cost effective. So that, ultimately,**  
5 **their return on investment will work for**  
6 **them.**  
7 **I don't want them paying that**  
8 **\$5,000 on the lesser valued cases; such as**  
9 **cervical, uterine, et cetera.**  
10 **So, again -- so what I do is this**  
11 **is strict criteria that they can handle one**  
12 **of those companies and say, I will not pay X**  
13 **number of dollars per case on these lesser**  
14 **valued cancers, okay.**  
15 **By contrast, if they are running**  
16 **their own ad campaign and it's not costing**  
17 **them any additional advertiser or any**  
18 **additional dollars to sign the extra cases,**  
19 **such as uterine, I would urge them to sign**  
20 **them, realizing that they are lower valued**  
21 **cases and they're not as supported by -- you**  
22 **know, their -- association is not as strong**  
23 **in the medical literature.**  
24 **So I would encourage those to be**  
25 **signed, just as I've always signed them. So**

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1 **J. ONDER**  
2 **that they -- so it really depends on what**  
3 **kind of campaign they are running.**  
4 **Right now, if someone comes and**  
5 **says, I'm running a campaign -- you know,**  
6 **there is always -- I have to protect my**  
7 **referring attorneys from not being taken**  
8 **advantage of -- by their advertisers is the**  
9 **bottom line. And that's what this criteria**  
10 **reflects.**  
11 **Q. This criteria reflects and your**  
12 **last answer reflects that these -- that the**  
13 **cancers that are listed on this "Cases to be**  
14 **declined" chart at Exhibit 5, these are, in**  
15 **your estimation, lower value talc claims,**  
16 **correct?**  
17 **A. Correct.**  
18 **Q. Why is that?**  
19 **A. They have -- they are not as**  
20 **strongly supported by the medical literature.**  
21 **So for example, uterine cancer,**  
22 **you know, there are some studies -- and**  
23 **studies go both ways. One or two or three**  
24 **can't, you know, epidemiologic studies, you**  
25 **know, provide proof of the association.**

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1 J. ONDER  
2 out what we face.  
3 So my goal has always been the  
4 same: Resolution. Right when the case was  
5 dismissed and, you know, our -- as the Third  
6 Circuit came down, you know, that was, you  
7 know, the best path towards resolution.  
8 At this point, when we were  
9 approached by J&J with this deal, I think  
10 it's the best path towards resolution. The  
11 other avenue of the path to resolution is to  
12 bring everybody on board and have everybody  
13 sit down and solve it and solve the problem  
14 together, so we are all happy and we all get  
15 our needs met. And that's what I support.  
16 MR. MOXLEY: Let's take this  
17 down, Deane, if we could, please. And  
18 let's bring up tab 10 and mark that as  
19 Exhibit 8.  
20 (Whereupon, Onder Exhibit 8,  
21 Chapter 11 Plan of Reorganization of  
22 LTL Management LLC was marked for  
23 identification as of this date by the  
24 Reporter.)  
25 BY MR. MOXLEY:

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1 J. ONDER  
2 Q. So, Mr. Onder, I've put on the  
3 screen what's been marked as Exhibit 8.  
4 And you see, sir, that this is the  
5 plan that has now been filed by the Debtor,  
6 correct?  
7 A. Yes.  
8 Q. And you've reviewed the plan?  
9 A. Yes.  
10 Q. Is it fair to say, Mr. Onder, that  
11 you were somewhat discouraged by the plan?  
12 MR. HOFMEISTER: Objection to  
13 the form of the question.  
14 A. I don't know what you mean. I --  
15 we knew through the PSA that this was a path  
16 towards resolution. When they filed the  
17 plan, the plan was not consistent in some  
18 ways with the PSA. I can go through a lot of  
19 speculation that I've gone through with the  
20 mediators and so forth about why I think it  
21 was filed the way it was filed and so forth.  
22 But I think the issues of that plan can be  
23 resolved if we all work together.  
24 Q. You were disappointed in the plan,  
25 were you not?

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1 J. ONDER  
2 MR. HOFMEISTER: Objection to  
3 the form of the question.  
4 A. I don't know if "disappointment"  
5 is the word. It wasn't consistent but, by  
6 the same token, I understand potential  
7 litigation strategies of why things may be  
8 done the way they are done, you know, for  
9 negotiation purposes.  
10 And therefore, I understand -- was  
11 I happy with the fact that it did not  
12 identically follow the PSA, it incorporated a  
13 lot of -- incorporated a lot of the things  
14 that we may have discussed and agreed on.  
15 Yeah, I would have liked to see that. But  
16 the same token, I understood with the plan,  
17 why it was done the way it was done, and I  
18 suspect that was part of a negotiating  
19 strategy.  
20 And I can't blame J&J for engaging  
21 in a negotiating strategy that they believe  
22 will be -- you know, lead to the -- what --  
23 everybody, ultimately, getting on board and  
24 resolving things.  
25 MR. MOXLEY: Let's mark, Deane

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1 J. ONDER  
2 -- let's bring up tab 11 and let's  
3 mark that as our next exhibit, Exhibit  
4 9.  
5 (Whereupon, Onder Exhibit 9,  
6 OnderLaw Referral Network Updates May  
7 2023 was marked for identification as  
8 of this date by the Reporter.)  
9 BY MR. MOXLEY:  
10 Q. Okay. Mr. Onder, you have on the  
11 screen what's been marked as Exhibit 9. You  
12 see this is a May 19, 2023, e-mail from you.  
13 Do you see that, sir?  
14 A. Sure. Yes.  
15 Q. And this is -- there is a logo  
16 heading there, "REFERRAL NETWORK UPDATES May  
17 2023."  
18 Do you see that?  
19 A. Yes.  
20 Q. Okay. So what is your  
21 understanding as to who this e-mail would  
22 have gone to or who this e-mail --  
23 A. Presumably, our referring  
24 attorneys.  
25 Q. Okay.

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1 J. ONDER  
2 MR. MOXLEY: And so, if we can  
3 just zoom in on the paragraph there  
4 that begins, "Most recently."  
5 That's great. That's even  
6 better, what you had before. Thanks,  
7 Deane. All right, great.  
8 BY MR. MOXLEY:  
9 Q. You see the paragraph, Mr. Onder,  
10 that says, "Most recently"?  
11 A. Yeah.  
12 Q. Okay. You wrote in this e-mail,  
13 "Most recently, we were somewhat discouraged  
14 by the \$8.9 billion bankruptcy plan LTL  
15 submitted to the court. Without getting into  
16 details that would compromise negotiations,  
17 it fell short of the terms we'd agreed upon."  
18 Do you see that, sir?  
19 A. Correct. I was starting to get  
20 calls -- yeah. The answer is yes, I'm sorry.  
21 Q. How did it fall short of the terms  
22 you thought you'd agreed upon?  
23 A. Like I said, it deviated from the  
24 PSA terms, like I just said. But the next  
25 line goes on to say, this was -- "This was a

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1 J. ONDER  
2 strategic move on J&J's part and," although  
3 "disappointing, not entirely unforeseeable."  
4 Again, it's all part of  
5 negotiations. You know, we were starting to  
6 get calls from clients saying, hey, Jim, what  
7 about all this terms and what about this,  
8 what about that, what about the other things,  
9 and we thought it was important to let our  
10 referring attorneys know, our co-counsel  
11 know, hey, yeah, you know, we weren't happy  
12 with this or that or the other term, too.  
13 But it wasn't -- it was not  
14 entirely unforeseeable, as I said, and I  
15 suspect it goes on to talk about how we are  
16 negotiating, we think it's all going to be  
17 wrapped up and resolved.  
18 Q. Have you calculated, sir --  
19 MR. MOXLEY: We can take this  
20 down now, Deane, thank you.  
21 Q. Excuse me, Mr. Onder.  
22 Have you calculated what any of  
23 your clients would be entitled to under the  
24 plan that's been filed?  
25 A. The plan that's filed, no, I have

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1 J. ONDER  
2 not.  
3 Q. Okay.  
4 A. I didn't do the chart. I did not  
5 look -- I did not check that chart. Unless  
6 it was the same one as in the PSA.  
7 Q. Do you intend to recommend the  
8 plan that's been filed to all of your  
9 clients?  
10 MR. MONTEFUSCO: Object to form.  
11 A. I don't think the plan that's been  
12 filed is what's going to be submitted to the  
13 client. So I think that's, kind of, a -- you  
14 know, a moot point or an irrelevant point.  
15 Q. Well, setting the relevance and  
16 your view about that aside, do you -- my  
17 question is -- is a simple one, actually.  
18 Do you intend, as you sit here  
19 today, to recommend the plan that is on file  
20 to your clients?  
21 MR. MONTEFUSCO: Object to form.  
22 A. I guess the answer is, I know that  
23 that's -- I'm not going to be making any  
24 recommendation to that plan because I already  
25 know multiple aspects of that plan that are

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1 J. ONDER  
2 going to be revised based upon the  
3 negotiations that have occurred so far. So  
4 that plan is never going to be voted so  
5 why -- because that plan is never going to be  
6 voted on, will I ever recommend it to them?  
7 No, because that's not the plan that's going  
8 to be voted on.  
9 So that answers your question, I  
10 guess.  
11 Q. We talked a little bit before --  
12 A. Go ahead. I apologize.  
13 Q. Okay. Did you have a further  
14 clarification or comment?  
15 A. No, I'm good.  
16 Q. Okay. We talked a little before  
17 about the Ad Hoc Committee of Supporting  
18 Counsel.  
19 MR. MOXLEY: Let me mark as our  
20 next exhibit, Exhibit 10, what is tab  
21 12.  
22 (Whereupon, Onder Exhibit 10,  
23 "Verified Statement of Paul Hastings  
24 and the other firms "pursuant to  
25 Bankruptcy Rule 2019 was marked for

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1 J. ONDER  
2 identification as of this date by the  
3 Reporter.)  
4 MR. MOXLEY: If you could bring  
5 that up, Deane. Tab 12.  
6 And, Deane, could you scroll to  
7 the second page of this document?  
8 Okay.  
9 BY MR. MOXLEY:  
10 Q. You see, Mr. Onder, this is  
11 entitled "VERIFIED STATEMENT OF PAUL  
12 HASTINGS" and the other firms "PURSUANT TO  
13 BANKRUPTCY RULE 2019."  
14 Do you see that?  
15 **A. Okay, sure.**  
16 Q. Are you familiar with this  
17 Verified Statement?  
18 **A. No.**  
19 Q. Okay.  
20 **A. I mean, I know I submitted a list**  
21 **of clients under Rule 2019. I don't think**  
22 **I've ever seen or reviewed this.**  
23 Q. Okay.  
24 MR. MOXLEY: Let's turn to page  
25 6, if we could, of the document. And

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1 J. ONDER  
2 if we can zoom in on paragraphs 25 and  
3 26.  
4 Q. You see a reference to your law  
5 firm there, sir?  
6 **A. Yes.**  
7 Q. Okay. And it says that attached  
8 is "Exhibit I-1 is a list of the full names,  
9 dates of birth, last four digits of their  
10 social security numbers, dates of death, if  
11 applicable, and information about the  
12 diseases from which each Client suffers, for  
13 each Client represented by OnderLaw, LLC as  
14 of the date of this Verified Statement,  
15 together with the nature of the claim, each  
16 of which is unliquidated, held by each Client  
17 in relation to the Debtor."  
18 Do you see that?  
19 **A. Yes.**  
20 Q. Then paragraph 26, the statement  
21 reads, "The information set forth in Exhibit  
22 I-1 is based on information provided to  
23 OnderLaw, LLC by the OnderLaw, LLC Clients  
24 and is intended to comply with Bankruptcy  
25 Rule 2019 and not for any other purpose."

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1 J. ONDER  
2 Do you see that?  
3 **A. Yes.**  
4 Q. How was that information -- and  
5 you may have just started to touch on the  
6 answer a couple of questions ago -- but how  
7 was that information compiled for the purpose  
8 of building Exhibit I-1?  
9 **A. We were given a spreadsheet of**  
10 **information that was needed to comply with**  
11 **2019. I turned it over to my attorney in**  
12 **charge. You know, obviously, they were all**  
13 **fields that we already had in our computer**  
14 **system and we populated an Excel spreadsheet**  
15 **with the items requested.**  
16 Q. So describe for me the computer  
17 system that you referenced in your last  
18 answer, Mr. Onder.  
19 What is that database or computer  
20 system comprised of; how does it work?  
21 **A. It's the SmartAdvocate system.**  
22 **It's the CRM system.**  
23 Q. Okay. How is information input  
24 into the SmartAdvocate system?  
25 **A. It's probably above my pay grade.**

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1 J. ONDER  
2 **I can honestly say that I have never been on**  
3 **SmartAdvocate ever myself, which is pretty**  
4 **unbelievable. But, you know, as I understand**  
5 **it, it's -- information goes -- starts going**  
6 **in at the time of the initial client call,**  
7 **and then, you know, kind of, proceeds through**  
8 **the process and we update various fields as**  
9 **we obtain additional information.**  
10 **And then, ultimately, I suspect,**  
11 **in response to this, I know there is a**  
12 **feature within it that we can pull, you know,**  
13 **various fields onto an Excel spreadsheet.**  
14 **And in my understanding, that's what we did.**  
15 Q. Okay. And so, it's part of the  
16 ongoing intake process that a person relying  
17 on intake questionnaires, interviews,  
18 diligence done with respect to the client,  
19 puts information into SmartAdvocate and from  
20 that, you know, sort of, the clients -- the  
21 information about the client and the nature  
22 of the claim, et cetera.  
23 Is that a fair way of thinking  
24 about it?  
25 **A. Yes, that's correct.**

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1 J. ONDER  
2 good about asking that question.  
3 If the answer comes back, yes, I  
4 have talked to another attorney and they told  
5 me they would not take my claim, what happens  
6 next under Onder's processes?  
7 A. Yeah, did they tell you why, what  
8 kind of cancer do you have, do you have the  
9 pathology report is the key thing we would  
10 like to see.  
11 And, you know, like I said, one of  
12 the major players in this litigation was  
13 rejecting good cases left and right. And  
14 because they were friends of us, we called  
15 them up and pointed it out to them that they  
16 really ought to have a doctor review those  
17 things as opposed to the paralegals because  
18 the paralegals were rejecting a lot of good  
19 cases. And they started using our doctor.  
20 So, again, I don't -- I never --  
21 some of my best cases in the history of my  
22 firm are cases that I got were rejected by  
23 other firms who just didn't know what they  
24 were doing.  
25 So, you know, we try to find out

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1 J. ONDER  
2 the basis of it and, hopefully, if they have  
3 the pathology report, we ask for that so that  
4 we can have our MD's review it.  
5 Q. Okay.  
6 MR. MOXLEY: Deane, let's take  
7 this down.  
8 Q. Mr. Onder, I'm going to -- some of  
9 my questions, I may refer to that 21,000  
10 figure. If you need to see that again for  
11 any reason, just let me know, but that's the  
12 figure I'm talking about. Okay?  
13 A. Sure. Sure.  
14 Q. Okay. How many of OnderLaw's  
15 21,411 clients that were listed in that  
16 exhibit are ovarian cancer clients?  
17 A. The exact number, obviously, I  
18 don't know for sure because that's -- you  
19 know, like I said, it varies from day-to-day.  
20 Opens, closed, rejects, et cetera.  
21 I know right now we have somewhere  
22 between 8,500 and 9,000 with ovarian cancer  
23 of confirmed and documented histologic  
24 sub-types that, you recall, would vary.  
25 There would be the so-to-speak "good cases."

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1 J. ONDER  
2 In the primary chart, we probably  
3 have -- at any given time, we will have  
4 several thousand cases where we are waiting  
5 on medical records and medical records are  
6 unavailable and things of that nature.  
7 And then the others would be other  
8 gynecologic cancers that we are -- we have  
9 been hoping the medical literature would  
10 advance. You can all move, quote, inventory  
11 cases.  
12 Early in the litigation we sat  
13 down with leadership firms and we all -- all  
14 of the early firms evolved, said, okay, what  
15 cases do we want to push to trial? What  
16 cases do we think should we reject and which  
17 cases should we inventory?  
18 And my -- my definitions, I think,  
19 are completely consistent with the MDL  
20 leadership because we all agreed on them.  
21 Q. How many of the 21,411 claims  
22 identified in that last exhibit are  
23 mesothelioma claims?  
24 A. Put it this way: It's on the  
25 chart, the exact number, because I think we

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1 J. ONDER  
2 identified them as mesos, but it's around a  
3 dozen, if I'm not mistaken.  
4 Q. Around 12?  
5 A. That sounds about right.  
6 Q. Okay. What other diagnoses have  
7 claimants received among those 21,411 claims?  
8 A. Mainly uterine.  
9 Q. Do you recall any -- so we've  
10 talked about ovarian cancer claims, that's  
11 approximately 8,500 to 9,000. 12,  
12 approximately, meso claims. And there is  
13 uterine claims.  
14 What other claims do you recall  
15 being among your pool of clients?  
16 A. Put it this way: Mucinous, okay,  
17 mucinous borderline. That's one that, you  
18 know, I think there is a little bit of  
19 disagreement about the strength of those  
20 cases. I know, you know, some people like  
21 Mark Robinson think they are very, very  
22 strong cases.  
23 I think they are pretty good  
24 cases. Some say, eh, they're not as good.  
25 So that's one that, kind of, falls in that --

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1 **J. ONDER**  
2 in between Category. One of the ones that I  
3 think are good, I think the medical  
4 literature will ultimately advance. And,  
5 therefore, I have been accepting from day one  
6 is uterine. Like I said, I've filed about  
7 two to 3,000 of those, spent over a million  
8 dollars doing that.  
9 Most, you know -- so I have three  
10 categories. That one that everybody admits  
11 was the best of the best cases. I have a  
12 couple thousand, probably, that I'm trying to  
13 get medical records on and so forth. And the  
14 rest, I would say 99 percent of the rest are  
15 uterine.  
16 Back when other cases -- back when  
17 some firms didn't want to accept uterine, I  
18 was willing to accept them and as a result, I  
19 think I became, you know -- people from all  
20 over the country were referring me uterine  
21 cancers.  
22 Q. Okay. So I'm just trying to do  
23 some rough math then, if I could, Mr. Onder,  
24 with you?  
25 A. Yes.

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1 **J. ONDER**  
2 Q. Let's say you're -- let's just  
3 say, for rounding figures, that you have  
4 9,000 ovarian cancer claims.  
5 A. Okay.  
6 Q. And let's say you had -- you said  
7 you had two to 3,000 filed uterine claims,  
8 correct?  
9 A. Those are the filed ones, right.  
10 Q. Oh, yes. So that gets us -- if  
11 you do nine plus 3,000, that gets to 12,000,  
12 right? So the figure there was 21,411.  
13 So is it fair to say that the  
14 difference between approximately 12,000 and  
15 the 21,000 figure that was identified in the  
16 filing, that the remainder of those are 99  
17 percent unfilled uterine claims; is that  
18 right?  
19 A. 99 percent uterine, right,  
20 probably.  
21 Q. Okay.  
22 A. If I understood where you were  
23 going with that, I mean, I would probably  
24 have 9,000 uterine cancer cases. I have  
25 9,000 of the other cases of cancer. And I

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1 **J. ONDER**  
2 have a couple thousand that are still being  
3 reviewed.  
4 Q. Okay. Tell me -- I'm sorry, just  
5 tell me your breakdown from that. That was  
6 very helpful.  
7 So what is your breakdown? I'm  
8 just trying to understand the facts, sir.  
9 What's your breakdown?  
10 A. I would estimate about 9,000 that  
11 are identified as the high value cases that  
12 we wanted to push to trial as ovarian cancer  
13 leadership.  
14 There is probably about 9,000 that  
15 are uterine or have supported medical  
16 literature, but were ones that we didn't want  
17 to push Daubert yet. And there are probably  
18 about 3,000 that are under review, waiting  
19 for medical reviews, things of that nature.  
20 Q. Okay. Of the 9,000 uterine, you  
21 think about two to 3,000 of those have been  
22 filed; is that right?  
23 A. At least, yes.  
24 Q. At least, okay.  
25 And the 3,000 that are under

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1 **J. ONDER**  
2 review, those, obviously, haven't been filed  
3 because they being reviewed, correct?  
4 A. Correct.  
5 Q. Okay. Does OnderLaw have  
6 engagement agreements with all 21,411 clients  
7 that were identified on that?  
8 A. We sure should.  
9 Q. Okay. Is it your expectation that  
10 you do?  
11 A. Yes.  
12 Q. Okay.  
13 A. I think they shouldn't be in our  
14 system if we don't have a contract with them.  
15 Q. Okay. How many talc clients,  
16 approximately, did OnderLaw have at the time  
17 that LTL 1 was filed in 2021?  
18 A. Put it this way: I don't remember  
19 timeframes. I know at one time we had at  
20 least 25,000, 26,000, 27,000 signed.  
21 So, again, it's been worked  
22 through and reached --  
23 THE COURT REPORTER: I'm sorry,  
24 the audio is cutting out.  
25 THE WITNESS: Oh, I apologize.



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1                   **J. ONDER**  
2       **A. I don't know exactly at any given**  
3 **point in time. I know at one time our**  
4 **account was up as high as 26 or 27,000.**  
5           **So if I ever cited anything, it**  
6 **would be anywhere, probably, between 27,000**  
7 **and somewhere, you know, where we are now.**  
8 **Somewhere between 18 and 27 at any given**  
9 **time.**  
10       Q. Okay.  
11       MR. MOXLEY: Let's go off the  
12 record for one second, if we could,  
13 Rebecca.  
14       THE VIDEOGRAPHER: The time  
15 1:16 p.m. We are now off the record.  
16 (Whereupon, a lunch recess was  
17 held.)  
18  
19  
20  
21  
22  
23  
24  
25

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1                   **J. ONDER**  
2                   **\*\*\*AFTERNOON SESSION\*\*\***  
3       THE VIDEOGRAPHER: The time is  
4 1:47 p.m. We are now back on the  
5 record.  
6 BY MR. MOXLEY:  
7       Q. Good afternoon, Mr. Onder.  
8       **A. Good afternoon.**  
9       Q. Okay. You can still hear me okay,  
10 sir?  
11       **A. Yes.**  
12       Q. Okay, terrific.  
13       Mr. Onder, before we broke for  
14 30 minutes there for a short break, we were  
15 talking about the 21,411 claims that were  
16 identified on the Ad Hoc Group of Supporting  
17 Counsel's Verified Statement.  
18       Do you recall that figure?  
19       **A. Yes.**  
20       Q. Okay. And then before -- we were  
21 talking about that you had given us an  
22 estimated breakdown of the types of claims  
23 that those 21,411 folks that you represent  
24 have.  
25       Do you recall that?

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1                   **J. ONDER**  
2       **A. Yes.**  
3       Q. Okay. I think you had estimated  
4 that approximately 9,000 of those were made  
5 of ovarian cancer claims, correct?  
6       **A. Right.**  
7       Q. And are -- whatever that number  
8 is, approximately 9,000, to your knowledge,  
9 are all of those filed claims?  
10       **A. No, they are not.**  
11       Q. Okay. Do you have an  
12 understanding or a rough estimate of how many  
13 are filed and how many are not of that 9,000  
14 ovarian cancer group?  
15       **A. Oh, I'm sorry. You were asking**  
16 **ovarian.**  
17           **No, I don't know how many are**  
18 **filed in either group, honestly.**  
19       Q. Oh, you don't. Okay.  
20       So you don't know of the 21,411  
21 claims, you are not sure what number are  
22 actually filed; is that right?  
23       **A. Yeah, correct.**  
24       Q. Okay. For those that are unfiled  
25 that are part of that pool, has OnderLaw made

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1                   **J. ONDER**  
2 the determination about whether they will  
3 definitively file those claims?  
4       **A. Put it this way: The unfiled ones**  
5 **were in tune to be filed based on the statute**  
6 **of limitations. You know, as we are going**  
7 **forward, obviously, it's expensive to file,**  
8 **you know, 20,000 claims.**  
9           **And so we tend to file, you know,**  
10 **three, six months, whatever it is, before the**  
11 **upcoming statute of limitations. And,**  
12 **obviously, when bankruptcy hit, there was,**  
13 **you know, no longer a reason to file or worry**  
14 **about filing.**  
15           **Now, if the bankruptcy would get**  
16 **dismissed, obviously, I would have 30 days to**  
17 **file all of this.**  
18       Q. Right. And in speaking of -- in  
19 speaking of the cases being in queue to be  
20 filed, let me just try to clarify.  
21       That would not be the case, I take  
22 it, you will tell me if I'm wrong, with  
23 respect to the 3,000 that you said were still  
24 under review; is that right?  
25       **A. Well, yes, but if we were**

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1 J. ONDER

2 **A. I can tell you as to Imerys, we**

3 **did cite in-place procedures, yes. I would**

4 **assume we would do the same here. It depends**

5 **how the voting structure turns out. We will**

6 **either do the same here or -- I think the**

7 **favorable method, as I understood it -- as I**

8 **understand it, is to -- that there has been**

9 **some talk of a way that we can ask each**

10 **individual to vote electronically. That**

11 **might assist in more accurately allowing the**

12 **clients to express their particular**

13 **viewpoint.**

14 Q. Let me just ask you, I don't know,

15 obviously, what your processes were in the

16 Imerys case or what your processes have been

17 in other cases.

18 So as a general matter, in

19 developing processes to make sure that you

20 understand client instructions with respect

21 to how to vote, what sources of information

22 would OnderLaw look to to confirm whether or

23 not it's received instructions from a client?

24 And what I mean by that, to help

25 hopefully guide you in understanding the

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1 J. ONDER

2 question, is, would it be limited to phone

3 calls that came in, to letters that came in,

4 or would you also look at social media posts

5 that clients may have made in response to

6 Facebook posts or blog posts that you've put

7 on your website or on your Facebook page?

8 MR. RASMUSSEN: Objection to the

9 form of the question.

10 **A. Yeah. I, you know -- again,**

11 **Facebook posts and all that -- let me tell**

12 **you what we would do -- I mean, what we've**

13 **done in the past and will presumably do this**

14 **way depending on how the Court orders us to**

15 **vote.**

16 You know, generally speaking, we

17 will write a letter to the -- a fiscal letter

18 to the client telling what's going on and how

19 to -- you know, what our position on it, pros

20 and cons, and, you know, what we think, the

21 way they should vote. We would also do that

22 by e-mail and we'd give them a text that

23 links to the e-mail, because a lot of people

24 don't check their e-mail.

25 So the three combined, and we give

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1 J. ONDER

2 **them a procedure whereby if they don't agree**

3 **with our decision, to please contact us and**

4 **we give them a method to contact us either by**

5 **text, e-mail, or phone call, that we don't**

6 **vote their -- you know, their case.**

7 Q. And similarly, Mr. Onder, you

8 would take steps to ensure that no master

9 ballot was filed that would be on behalf of a

10 client who, in one of the forms of

11 communication that you just outlined, had

12 instructed you that they wanted to vote no.

13 You wouldn't have a master ballot

14 vote of yes for that client, correct?

15 **A. That's correct.**

16 MR. HOFMEISTER: Objection to

17 the form of the question.

18 **A. And with respect to your comment**

19 **about social media posts, we do not look at**

20 **social media posts. I mean, people have**

21 **access to each other's, you know, accounts.**

22 **There are all kinds of duplicate accounts,**

23 **fraudulent accounts. Just the other day, I**

24 **got a letter that someone was alleging to be**

25 **me, setting up an account under my name.**

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1 J. ONDER

2 **So the bottom line is, we don't**

3 **look at social media posts because there is**

4 **no way to verify if it's truly the client who**

5 **is expressing that opinion.**

6 Q. Mr. Onder, Mr. Coddington actually

7 left a voicemail for one of the attorneys

8 representing the TCC. I would like to play

9 that voicemail for you now.

10 MR. MOXLEY: We are going to

11 mark the audio file that is tab 16 as

12 Exhibit 16.

13 (Whereupon, Onder Exhibit 12,

14 audio file was marked for

15 identification as of this date by the

16 Reporter.)

17 Q. Mr. Onder, what we will do is I

18 will play you the voicemail that

19 Mr. Coddington left. And on your screen, you

20 will see a running transcript of the message.

21 **A. Sure.**

22 Q. That may be helpful for you to

23 look at as you listen to the voicemail.

24 **A. Okay.**

25 MR. MOXLEY: I ask the court

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1 J. ONDER  
2 reporter, who always does a terrific  
3 job, to try to take down the audio as  
4 it's being -- as the video -- as the  
5 clip is playing. But I'll just note  
6 for the court reporter's benefit, as  
7 well, that there is a -- if you look  
8 at the exhibit itself that we are  
9 going to show up here, there is a  
10 transcript of the audio, which may  
11 help in taking that down.  
12 BY MR. MOXLEY:  
13 Q. So, Mr. Onder, with that -- --  
14 DOCUMENT TECHNICIAN: You want  
15 this as Exhibit 16?  
16 MR. MOXLEY: What did I mark it  
17 as, I'm sorry?  
18 THE COURT REPORTER: You said  
19 Exhibit 16, but I think you meant 12.  
20 MR. MOXLEY: I did mean 12.  
21 Exhibit 12, sorry. Tab 16. Exhibit  
22 12.  
23 MR. HOFMEISTER: And are you  
24 going to identify for whom he left the  
25 voicemail, the date that he left the

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1 J. ONDER  
2 voicemail, any particulars about it?  
3 MR. MOXLEY: He left the  
4 voicemail for TCC attorney Dan Stolz  
5 of the Genova Burns firm. And it was  
6 left in May of 2023.  
7 MR. HOFMEISTER: Can you  
8 identify the date?  
9 MR. MOXLEY: I will try to do  
10 that. I don't have it at my  
11 fingertips right now, but we will look  
12 into that and I will confirm with you.  
13 BY MR. MOXLEY:  
14 Q. So with that preface, Mr. Onder,  
15 we will play that voicemail now and I will  
16 ask you some questions about it.  
17 Okay, sir?  
18 (Audio played.)  
19 "Hi, my name is Terry Joe  
20 Coddington. My dad is Terry D.  
21 Coddington. We're with the LTL  
22 Management of Johnson & Johnson talc  
23 claimants/plaintiffs.  
24 My mother died from ovarian  
25 cancer and she filed with the Court

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1 J. ONDER  
2 with OnderLaw. We are not real happy  
3 with the way things are going, and  
4 when I talked to their marketing  
5 department, some of the messages they  
6 made, I'm -- any way, I don't think we  
7 will be voting yes for this. It is  
8 clear to them that they should not be  
9 saying that all of their clients are  
10 voting yes or liking it.  
11 I don't like the bankruptcy, the  
12 fraud, the -- so many things. It just  
13 looked funny to me. But if you could,  
14 please call -- -- and I would  
15 appreciate it. Thank you, bye."  
16 MR. MOXLEY: We can take that  
17 down now, Deane.  
18 BY MR. MOXLEY:  
19 Q. Mr. Onder, were you able to hear  
20 and see the transcript as Mr. Coddington's  
21 voicemail was played?  
22 A. I believe so, yes.  
23 Q. Okay. And in it, Mr. Coddington  
24 references having contacted OnderLaw or parts  
25 of its marketing team, as he phrased it.

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1 J. ONDER  
2 Just to confirm, are you aware of  
3 any of that contact that he made?  
4 MR. HOFMEISTER: Objection --  
5 objection to the question. Any  
6 contact with the law firm would be  
7 privileged.  
8 MR. MOXLEY: I'm not sure it  
9 would be any more, but we can cross  
10 that bridge if we need to.  
11 MR. HOFMEISTER: The phone call  
12 may not be because it was sent to  
13 Mr. Stolz, but any calls to  
14 Mr. Onder's firm would be covered by a  
15 privilege. So I'm asserting that and  
16 instructing him not to answer where he  
17 is going to be disclosing privileged  
18 conversations.  
19 BY MR. MOXLEY:  
20 Q. So without answering the question  
21 of whether or not he did, in fact, call your  
22 firm or your marketing department, sir, are  
23 you aware one way or the other, yes or no, of  
24 the answer to that question?  
25 A. Put it this way: I mean, we have

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1 **J. ONDER**  
2 **least one firm, I got a call saying they**  
3 **don't think it's fair on behalf of their**  
4 **clients. And I assured them that we are**  
5 **negotiating and we need to look at the final**  
6 **deal, not the propaganda being put out by the**  
7 **TCC. I don't know if that's this guy or not,**  
8 **but I know it happened as to one firm.**  
9 Q. You see, Mr. Onder, paragraph 6,  
10 Mr. Entrekin states, "On April 5, 2023, I  
11 learned of the proposed \$8,900,000,000  
12 settlement and second filed bankruptcy.  
13 Neither I nor my clients have been consulted  
14 about it, to the present time."  
15 Do you see that?  
16 **A. What was the date of this?**  
17 MR. MOXLEY: The second page,  
18 please, Deane.  
19 Do you see it's dated April 7th,  
20 sir?  
21 **A. Okay.**  
22 Q. The second bankruptcy filing was  
23 on April 4th, correct?  
24 **A. Correct.**  
25 Q. And he learned about the proposed

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1 **J. ONDER**  
2 settlement on April 5th, the day after it was  
3 filed, correct?  
4 MR. MONTEFUSCO: Object to form.  
5 Foundation.  
6 **A. Yes.**  
7 Q. According to this document.  
8 Is that correct, sir?  
9 **A. Yes, if you take the truth of the**  
10 **matter asserted that it's accurate, sure, I**  
11 **guess.**  
12 Q. And he states in the next  
13 paragraph, paragraph 7, "I have not consulted  
14 with all of my clients since then, but I have  
15 consulted with some and none of those I have  
16 talked with support a second bankruptcy."  
17 Do you see that?  
18 **A. Okay.**  
19 Q. Were you aware of the facts that  
20 are in this Declaration before I showed it to  
21 you, sir?  
22 MR. HOFMEISTER: Objection to  
23 the question. Foundation. We don't  
24 know that this is fact. All we know  
25 is it's a Declaration that you put up

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1 **J. ONDER**  
2 signed by this attorney. So I don't  
3 know that he can answer that.  
4 MR. MOXLEY: I'll withdraw the  
5 question, then, and rephrase.  
6 BY MR. MOXLEY:  
7 Q. The statements that Mr. Entrekin  
8 makes in this Declaration, sir, were you  
9 aware of those statements before I showed you  
10 this Declaration?  
11 MR. RASMUSSEN: Objection to the  
12 form of the question.  
13 **A. Not that I know of. I mean,**  
14 **again, other than the one firm that I talked**  
15 **to you about -- and suddenly, he was weeks**  
16 **later, it wasn't days -- it wasn't three days**  
17 **after or whatever, but I can tell you**  
18 **definitively all my referring attorneys and**  
19 **my clients were notified, I believe it was on**  
20 **the 4th, on the day, number one.**  
21 **Number two, I'm not the one who**  
22 **filed the bankruptcy. J&J was filing the**  
23 **bankruptcy with or without me, okay. So the**  
24 **fact they didn't want me to file a**  
25 **bankruptcy, really, I don't know that that's**

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1 **J. ONDER**  
2 **really relevant because I had no authority**  
3 **over whether J&J filed this bankruptcy. They**  
4 **were going to file it with or without me.**  
5 **So the fact that I continued to**  
6 **negotiate and do what I thought was in the**  
7 **best interest of the client, I think**  
8 **everybody would authorize me to do that. And**  
9 **even the one firm I did talk to said, yeah, I**  
10 **agree with you, based upon these additional**  
11 **confidential information I gave you, I agree**  
12 **with your course of action.**  
13 **So I really don't know the facts**  
14 **or circumstances surrounding this and, you**  
15 **know, if you give me a list of clients or**  
16 **something, maybe I can have those pulled.**  
17 **But, yeah, that's all I can say.**  
18 Q. Well, you anticipated my next  
19 question, Mr. Onder. And it's this: So  
20 irrespective of what I do, given your  
21 testimony previously that you would never  
22 want to cast a ballot in a way that was  
23 different than a client's intentions or goals  
24 or instructions, and given the Declaration  
25 that I have shown you, I take it that among

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1 **J. ONDER**  
2 **in the plan there's a number there, I think**  
3 **it's kind of a placeholder number. I don't**  
4 **think that's based on any analysis that I've**  
5 **heard of.**  
6 Q. Sure. And so -- and we just --  
7 we're going to go to the plan next on the  
8 same point, but with respect to the PSA,  
9 because that number was not yet determined,  
10 you would have needed that information before  
11 you could have made a determination whether  
12 to recommend to your uterine cancer clients  
13 that they should support a plan, fair?  
14 **A. That's fair.**  
15 Q. All right. And then, if we switch  
16 to the plan that's on file that was filed on  
17 May 15th, under the plan in Section 5.3.3  
18 where you have point values for claimants  
19 that would have to do the advanced payment or  
20 the expedited payment option, and that  
21 includes the gynecological cancers, they  
22 would be assigned 500 points, right?  
23 **A. Put it this way: That's what the**  
24 **plan says.**  
25 Q. Right. And I'm just going to run

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1 **J. ONDER**  
2 through it real quick. And the goal in  
3 Section 7.1 of the plan is to have a point  
4 equal a dollar and they say, but it's our  
5 expectation it will be at least somewhere  
6 between \$0.50 on the bottom or \$2 on the high  
7 end per point, fair?  
8 **A. Fair.**  
9 Q. And if we do the math, that means  
10 a uterine cancer case under the plan with the  
11 placeholder value that's in there right now  
12 would get somewhere between \$250 and \$1,000,  
13 right?  
14 **A. Right. I mean, here's the thing,**  
15 **that's the -- hate to say it, that's one of**  
16 **the problems with the plan. I mean, that's**  
17 **one of the points of negotiation because**  
18 **until we hear from the FCR, we don't know how**  
19 **much money needs to go in -- to get a number**  
20 **that everybody perceives as reasonable. And**  
21 **what is a number that everybody perceives as**  
22 **reasonable?**  
23 **You know, given the state of the**  
24 **medical literature compared to, say, you**  
25 **know, the other ovarian cancers, where does**

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1 **J. ONDER**  
2 **it stand? I would love to have your input.**  
3 Q. Sure. No. I totally understand  
4 that, sir.  
5 And just so we are clear, the  
6 numbers, at least, as we have gone through,  
7 with respect to the plan as it's written  
8 right now, that we have reviewed are the  
9 numbers that are in the plan now, right?  
10 **A. Right.**  
11 Q. Okay. And then, the -- and I'll  
12 ask you a question that I think Mr. Thompson  
13 may have asked you before, but I think it's a  
14 little different.  
15 As the numbers are in the plan --  
16 I think you referred to them a minute ago as  
17 a placeholder there -- the 250 to \$1,000  
18 range would not be acceptable to you for your  
19 uterine cancer cases?  
20 I'm not asking for anything you've  
21 said to a mediator. I'm not asking for  
22 anything you have negotiated with anyone  
23 else.  
24 I'm asking you, 250 bucks to 1,000  
25 bucks would not be enough for your uterine

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1 **J. ONDER**  
2 cancer cases to get your recommendation,  
3 would it?  
4 MR. MONTEFUSCO: Object to form.  
5 **A. I don't know. I don't know for**  
6 **sure. I mean, the thing is, there's a lot of**  
7 **other factors that go into it, and I -- you**  
8 **know, yeah. I mean, in terms of the numbers**  
9 **that I've recommended and so forth, I'll go**  
10 **into mediator privilege. I think that J&J is**  
11 **open and amenable to discussing those numbers**  
12 **within a reasonable range, and I'm pretty**  
13 **confident we can come to that I do think is**  
14 **fair and reasonable, and that you would think**  
15 **is fair and reasonable, given the totality of**  
16 **the circumstances if we all get together and**  
17 **talk.**  
18 Q. All right.  
19 MR. RUCKDESCHEL: I think that's  
20 all I've got for you, sir. Thanks.  
21 **THE WITNESS: Thanks.**  
22 MR. THOMPSON: I've got one last  
23 question, Mr. Onder, sorry.  
24 CONTINUED EXAMINATION BY  
25 MR. THOMPSON:

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1 J. ONDER  
2 Q. Has -- you mentioned the FCR  
3 there. Has Ms. Ellis or her lawyers  
4 communicated their position on this plan to  
5 the Ad Hoc Group, as far as you know?  
6 MR. HOFMEISTER: Objection. To  
7 the extent you are disclosing any  
8 conversations that were in connection  
9 with the mediation.  
10 **A. Yeah. I think I may have actually**  
11 **answered that earlier, but the only**  
12 **communications about which I'm aware with**  
13 **Ms. Ellis are things that I've heard through**  
14 **the mediators.**  
15 MR. THOMPSON: Okay. Thank you,  
16 sir.  
17 MR. MONTEFUSCO: Mr. Onder, this  
18 is Ryan Montefusco. I just need 90  
19 seconds of your time. I appreciate  
20 your patience on this.  
21 EXAMINATION BY  
22 MR. MONTEFUSCO:  
23 Q. Upon entering the PSA, you agreed  
24 to work with the parties in this proceeding  
25 to finalize a plan consistent with the Term

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1 J. ONDER  
2 Sheet, right?  
3 **A. Correct.**  
4 Q. Okay. And since signing the PSA,  
5 you have undertaken to do just that, right?  
6 **A. Absolutely.**  
7 Q. Okay. And in the event the  
8 parties ultimately reach a final agreement  
9 consistent with the Term Sheet, you also  
10 agreed under the PSA to support confirmation  
11 of such a plan, correct?  
12 **A. That's correct.**  
13 Q. Okay. And final question, sitting  
14 here today, you continue to be bound by the  
15 PSA, correct?  
16 **A. Yes. And I think it's all going**  
17 **to be accomplished if everybody works**  
18 **together.**  
19 MR. MONTEFUSCO: Thank you very  
20 much, Mr. Onder.  
21 MR. MOXLEY: I have one further  
22 question in light of that questioning.  
23 CONTINUED EXAMINATION BY  
24 MR. MOXLEY:  
25 Q. Mr. Onder, it is Cameron Moxley,

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1 J. ONDER  
2 again, from the -- from Brown Rudnick for the  
3 TCC.  
4 **A. Yeah.**  
5 Q. Mr. Montefusco --  
6 MR. MOXLEY: I'm sorry, Ryan, I  
7 didn't mean to mispronounce your last  
8 name. I apologize.  
9 Q. Mr. Onder, counsel to the Ad Hoc  
10 Group of supporting counsel asked you just  
11 now if you continue to be bound by the PSA.  
12 Do you recall him asking you that  
13 a moment ago?  
14 **A. Yes.**  
15 Q. Okay. And I asked you earlier if  
16 the -- if the PSA is a document or a contract  
17 that you could walk away from today, if you  
18 chose to. And your answer was that you  
19 could.  
20 Is that still your testimony, sir?  
21 MR. MONTEFUSCO: Object to form.  
22 **A. Good point. Maybe I didn't give**  
23 **enough thought before answering.**  
24 **Here is the thing, I feel a moral**  
25 **commitment or obligation to support the PSA,**

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1 J. ONDER  
2 **to support the plan and to support putting**  
3 **together a deal. I chose to support this**  
4 **because I think we can do a deal because I**  
5 **think resolution is in the best interest of**  
6 **everybody. Okay?**  
7 I mean, Greg Gordon and the First  
8 Day Declaration, Mr. Kim and everything say,  
9 hey, everything is subject to negotiation,  
10 it's not binding. But by the same token, I  
11 truly believe that this can be resolved if  
12 everybody sits down and sits together and  
13 talks.  
14 Am I contractually bound? No.  
15 Do I feel an obligation to live by  
16 my word and do what I think is in the best  
17 interest of my clients? Absolutely. And  
18 that's what I will do, you know, even if  
19 other people might disagree with me.  
20 So am I bound -- I guess the more  
21 accurate question is -- or answer to the  
22 previous question is, am I bound? Well, no,  
23 according to -- you know, according to my  
24 interpretation and everything else, but by  
25 the same token, am I committed to this deal?

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**1 J. ONDER**  
**2 Yes, I'm committed to the deal, and I think**  
**3 we can make it work if everybody works**  
**4 together.**  
**5 Q.** Okay. And, Mr. Onder, just one  
**6 final question. Whatever your contractual**  
**7 obligations or your views as to your moral**  
**8 obligations having signed the PSA, whatever**  
**9 those views are, there is no question that**  
**10 your clients are not bound to do anything by**  
**11 the PSA, correct?**  
**12 MR. RASMUSSEN:** Objection to the  
**13 form.**  
**14 A. Yes, that's correct.**  
**15 MR. MOXLEY:** Thank you. I have  
**16 nothing further.**  
**17 EXAMINATION BY**  
**18 MR. RASMUSSEN:**  
**19 Q.** Mr. Onder, real quick, let me  
**20 follow up. This is Mark Rasmussen, counsel**  
**21 for LTL.**  
**22 A. Sure.**  
**23 Q.** Do you agree that the PSA has not  
**24 been terminated?**  
**25 A. No. Correct. I mean, no. We are**

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**1 J. ONDER**  
**2 on board. Everything is proceeding as it**  
**3 should. We're negotiating in good faith, and**  
**4 I think we're getting really, really close.**  
**5 And I wish we could have the input of the**  
**6 TCC.**  
**7 MR. RASMUSSEN:** Great. Thank  
**8 you.**  
**9 MR. MOXLEY:** I have nothing  
**10 further, Mr. Onder. I thank you very**  
**11 much, again, for your time today, sir.**  
**12 THE WITNESS: Thank you.**  
**13 THE VIDEOGRAPHER:** This  
**14 concludes the deposition of James**  
**15 Onder. Going off the record at**  
**16 4:47 p.m.**  
**17 (Whereupon, at 4:47 p.m., the**  
**18 Examination of this Witness was**  
**19 concluded.)**  
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**25**

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**2 E X H I B I T S**  
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**23** Exhibit 8 Chapter 11 Plan of 157  
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**3** Network Updates May  
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**5** Exhibit 10 "Verified Statement of 164  
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